

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

LOUIS MERRICK,  
Plaintiff  
v.  
B. ELLIS,  
Defendant.

Case No. EDCV 15-1052-AB (GJS)

**ORDER ACCEPTING FINDINGS  
AND RECOMMENDATIONS OF  
UNITED STATES MAGISTRATE  
JUDGE**

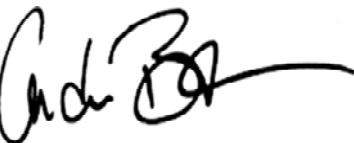
Pursuant to 28 U.S.C. § 636, the Court has reviewed the Complaint and all pleadings, motions, and other documents filed in this action, and the Report and Recommendation of United States Magistrate Judge (“Report”). The deadline to file Objections to the Report has passed, and no Objections have been filed with the Court. Having completed its review, the Court accepts the findings and recommendations set forth in the Report, except that it notes two typographical errors, at page 7, line 21 and page 8, line 3, where “Merrick” should be substituted for “Ellis.”

Accordingly, **IT IS ORDERED** that:

- 1       (1) Defendant's Motion to Dismiss [“Motion,” Dkt. No. 19] is GRANTED  
2              insofar as the official capacity claims and request for injunctive and  
3              declaratory relief set forth in the Complaint are dismissed;  
4       (2) The Motion is DENIED in all other respects; and  
5       (3) Within twenty-one (21) days of the entry of this Order, Defendant shall  
6              answer the Complaint as it has been amended by this Order.

7       **IT IS SO ORDERED.**

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9       DATE: February 4, 2016



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10              ANDRÉ BIROTTE JR.  
11              UNITED STATES DISTRICT JUDGE

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